



BellSouth Telecommunications, Inc.
Suite 2101
333 Commerce Street
Nashville, Tennessee 37201-3300

615 214-6301
Fax 615 214-7406

August 10, 1999

REC'D TN
REGULATORY UNIT
Guy M. Hicks
General Counsel
'99 AUG 10 PM 4 26
EXECUTIVE SECRETARY

VIA HAND DELIVERY

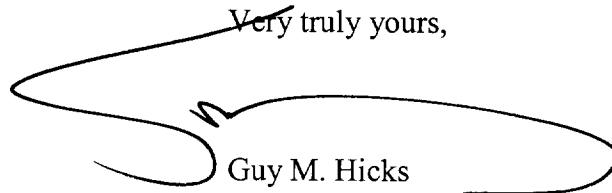
David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Proceeding for the Purpose of Addressing Competitive Effects of Contract Service Arrangements Filed by BellSouth Telecommunications, Inc. in Tennessee*
Docket No. 98-00559

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth Telecommunications, Inc.'s Response to the Consumer Advocate Division's "Notice of Designation". Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,



Guy M. Hicks

GMH:ch
Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY

Nashville, Tennessee

In Re: *Proceeding for the Purpose of Addressing Competitive Effects of Contract Service Arrangements Filed by BellSouth Telecommunications, Inc. in Tennessee*
Docket No. 98-00559

BellSouth Telecommunications, Inc.'s Tariff to Offer Contract Service Arrangement TN98-6766-00 for Maximum 13% Discount on Eligible Tariffed Services
Docket No. 98-00210

BellSouth Telecommunications, Inc.'s Tariff to Offer Contract Service Arrangement KY98-4958-00 for an 11% Discount on Various Services
Docket No. 98-00244

BELLSOUTH TELECOMMUNICATIONS, INC.'S
RESPONSE TO THE CONSUMER ADVOCATE DIVISION'S
"NOTICE OF DESIGNATION"

BellSouth Telecommunications, Inc. ("BellSouth") hereby responds to the Consumer Advocate Division's ("CAD") Notice of Designation ("Notice"). In its Notice, the CAD seeks to "designate all documents produced in the response to discovery or a Petition for Information in all CSA dockets for use at the hearing in this case. The only exception to the designation is that CAD will not use an individual customer's name, but instead may refer to the industry."

BellSouth objects to the CAD's blanket request and requests that the Tennessee Regulatory Authority ("Authority") or the Hearing Officer require the CAD to specify the proceedings and documents to which the Notice relates. The hearing in this case will address issues raised by the intervenors with respect to CSA KY98-4958-00 and CSA TN98-6766-00. The hearing is not intended to be a consolidation of other proceedings. Indeed, the Hearing Officer has previously rejected the CAD's attempt to consolidate its Request for Information

docket with this docket. (*See* Report and Recommendation of Prehearing Officer, dated January 15, 1999, p. 11). It is simply unclear from the one-paragraph Notice whether the CAD is seeking to inject additional issues into this hearing at this late date. BellSouth opposes any attempt to inject additional issues into this case.

BellSouth also objects to the Notice to the extent the CAD may be requesting relief inconsistent with the Protective Order entered in this and other CSA proceedings. Paragraph 9 of the Protective Order entered in this proceeding provides as follows:

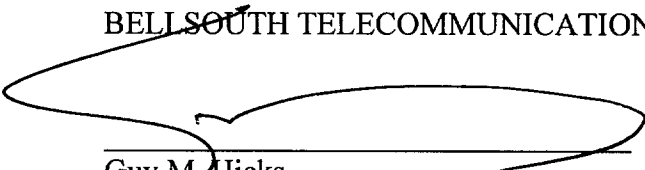
9. Documents, information and testimony designated as CONFIDENTIAL, in accordance with this Order, may be disclosed in testimony at the hearing of this proceeding and offered into evidence used in any hearing related to this action, subject to the Tennessee Rules of Evidence and to such future orders as the TRA, the Pre-Hearing Officer, or the Administrative Law Judge may enter. Any party intending to use documents, information, or testimony designated CONFIDENTIAL shall inform the producing party and the TRA, the Pre-Hearing Officer, or the Administrative Law Judge, prior to the hearing on the merits of the case in the manner designated previously in this Order, of the proposed use; and shall advise the TRA, the Pre-Hearing Officer, or the Administrative Law Judge, and the producing party before use of such information during witness examinations so that appropriate measures can be taken by the TRA, the Pre-Hearing Officer, or the Administrative Law Judge to protect the confidential nature of the information.

Thus, documents produced subject to the Protective Order may be disclosed in testimony at the hearing of this proceeding under circumstances allowed by the Protective Order. To the extent that the CAD is seeking to use documents previously produced by BellSouth in this proceeding for purposes of cross-examination and to the extent that the CAD complies with the terms of the Protective Order in so doing, BellSouth has no objection. On the other hand, to the extent the CAD is seeking to use documents from other proceedings, including documents which relate to issues not raised by the intervenors in this proceeding, BellSouth opposes the relief requested in the Notice.

Finally, BellSouth objects to the CAD's Notice to the extent it seeks a blanket admission into evidence of all documents produced in the various CSA proceedings. It is the CAD's obligation to seek to introduce such documents during the hearing. While it is possible that the parties may agree that certain documents are admissible or may be used during cross examination, it is unreasonable to expect any party to agree to the unrestricted use of documents in the hearing from other, unspecified, proceedings, which may well not be relevant to the issues in this docket.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.



Guy M. Hicks
333 Commerce Street, Suite 2101
Nashville, Tennessee 37201-3300
(615) 214-6301

Douglas Lackey
Bennett L. Ross
675 W. Peachtree Street, Suite 4300
Atlanta, Georgia 30375

CERTIFICATE OF SERVICE

I hereby certify that on August 10, 1999, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight

Richard Collier, Esquire
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0500

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight

Henry Walker, Esquire
Boult, Cummings, et al.
414 Union Ave., #1600
P. O. Box 198062
Nashville, TN 39219-8062

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight

Jon Hastings, Esquire
Boult, Cummings, et al.
414 Union St., #1600
Nashville, TN 37219

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight

Charles B. Welch, Esquire
Farris, Mathews, et al.
511 Union St., #2400
Nashville, TN 37219

- ☐ Hand
- ☒ Mail
- ☐ Facsimile
- ☐ Overnight

James Lamoureux, Esquire
AT&T
1200 Peachtree St., NE
Atlanta, GA 30309

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight

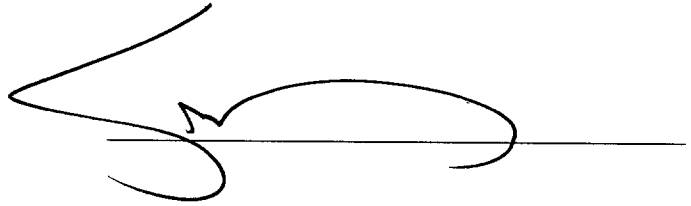
Vance Broemel, Esquire
Consumer Advocate Division
426 5th Avenue, N., 2nd Floor
Nashville, TN 37243

- ☐ Hand
- ☐ Mail
- ☒ Facsimile
- ☐ Overnight

Carolyn Tatum Roddy, Esquire
Sprint Communications Co., L.P.
3100 Cumberland Circle, N0802
Atlanta, GA 30339

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight

Val Sanford, Esquire
Gullett, Sanford, et al.
230 4th Ave., N., 3rd Fl.
P. O. Box 198888
Nashville, TN 37219-8888

A handwritten signature in black ink, appearing to be 'Val Sanford', is written over a horizontal line. The signature is stylized with a large, sweeping 'V' and a cursive 'S'.